

KENTUCKY BOARD OF RESPIRATORY CARE

SUMMARY MINUTES

March 19, 2015

A special meeting of the Kentucky Board of Respiratory Care was held on Thursday, March 19, 2015 at KBRC offices, 163 W. Short Street, Lexington, KY.

MEMBERS PRESENT

Jeff Smithern, RRT, Chair
Dr. Robert W. Powell, Vice-Chair
Tamara G. McDaniel, RRT
Dr. James McCormick
Kathleen Kearney Schell

KBRC STAFF

Peggy Lacy Moore, Executive Director
Rick L. Rose, Administrative Assistant

OTHER

Cheryl Lalonde, AAG

Ms. Moore called the meeting to order at 5:40 p.m., at 163 W. Short Street, Lexington, KY. Mrs. Moore, a notary, administered the oath of office to new members James R. McCormick, M.D., and returning member Tamara G. McDaniel.

Election of KBRC Chairman and Vice-Chairman for 2015

Ms. Moore opened the floor for nominations for Chair to serve for calendar 2015. Tami McDaniel made a motion nominating Jeff Smithern to serve as Chair during 2015; seconded by Kathleen Kearney Schell. Motion carried unanimously.

Mr. Smithern opened the floor for nominations for Vice-Chair. Dr. Robert Powell nominated himself to serve as Vice-Chair for the remainder of 2015; seconded by Kathleen Kearney Schell. Motion carried unanimously.

Minutes

Ms. McDaniel made a motion to approve the December 11, 2014 minutes; seconded by Dr. Powell. Motion carried unanimously.

Continuing Education

Premier Home Care, Inc.

Dr. Powell discussed the Trilogy home ventilator setups addressing Joan Kruse, with Premier Home Care, Inc. Dr. Powell stated it is within a qualified respiratory therapist's scope of care to set up and monitor home ventilators with a physician's order. The physician can get advice or recommendations from any source the physician deems appropriate. In the case of home ventilator setups, advice could come from the RT on site. If the RT makes an assessment of the patient and feels comfortable making suggestions about the use and setting for the ventilator and the physician gives the order, it is acceptable. If, on the other hand, the RT does not feel

comfortable giving the recommendation or feels that the RT is taking too much responsibility in the giving the recommendations then, the RT should not do it.

Dr. Powell stated ultimately the responsibility for the orders to use and how to use any home ventilator (including the Trilogy ventilator) is the responsibility of the ordering physician. It is the physician's responsibility to be knowledgeable about the use and settings for any device that is being prescribed. Dr. Powell is in conversation with the Greater Louisville Medical Society and its membership about the use of Trilogy ventilators. He also called the KY Board of Medical Licensure to see if it has a potential role and will follow up with the KY Board of Medical Licensure. Dr. Powell found guidelines for the use of home ventilators on the Tennessee Blue Cross and Blue Shield website. Dr. Powell will email his findings to Ms. Kruse.

Dr. Janice Sullivan, Kosairs Inquiry on RRT Scope of Practice

Ms. McDaniel emailed Dr. Sullivan on the role of the RT employed for ECMO and the RT's scope of practice regarding medication administration. The law does not specify or limit medications during cardiopulmonary procedures. However, the law does require that a respiratory care practitioner perform respiratory care procedures under medical direction and with documented competency, in accordance with the agency or facility guidelines and only in accordance with the prescription of a physician. The administration of medications during a cardiopulmonary procedure is only limited if prohibited by the medical staff of the licensed healthcare facility.

Update on 2015 Renewals Continuing Education Audits

Ms. Moore shared a list of the 21 therapists that were unable to provide acceptable proof of obtaining sufficient continuing education after being audited. Dr. McCormick made a motion for legal counsel to draft Agreed Orders which include a fine and double the continuing education deficiency; seconded by Jeff Smithern. Motion carried unanimously.

Ms. Ruble was one of the therapists unable to provide acceptable proof of obtaining sufficient continuing education after being audited. Ms. Ruble does not work in KY, so she requested an Agreed Order of Surrender as opposed to the usual order. Dr. McCormick made a motion for legal counsel to draft an Agreed Order of Surrender as Revoked for Ms. Ruble. The motion was seconded by Jeff Smithern and passed unanimously.

Lisa Stampor Email Inquiry Re: Starting IV's

Ms. McDaniel stated she had an inquiry from Lisa Stamper about ER protocol for Asthma and COPD. In that protocol the RT may give oral steroids, start an IV, or give IV steroids for severe cases. The Board agreed this is within our scope of practice. Ms. McDaniel will draft a reply that that the protocol is within our scope of practice pursuant to KRS 314A.100, since it is a cardiopulmonary procedure with competency guidelines and a physician's prescription.

Gina Lester Email Inquiry Re: Immunizations

Gina Lester, RRT, Education Coordinator, inquired whether our scope of practice permitted giving a PPD skin test and immunizations. The Board discussed and decided it is not within our scope to administer immunizations. Ms. McDaniel will reply to Ms. Lester.

Ms. McDaniel was assigned to answer scope of practice inquiries between meetings; she will bring them to the Board for discussion if the answer is not directly in the law.

Complaints

Dr. Powell made a motion for the Board to go into closed session, pursuant to KRS 61.810(1) (c) and (j), to discuss proposed or pending litigation and to deliberate regarding individual adjudications. The motion was seconded by Kathy Schell and carried unanimously.

Dr. Powell moved to come out of closed session; seconded by Tami McDaniel. Motion carried unanimously.

Agreed Orders – Compliant Cases

Aubrey Bryant

Mr. Fingerson reported Aubrey Bryant is compliant. No action on the case.

Joseph Cecil

Mr. Fingerson reported Joseph Cecil is compliant. No action on the case.

Terry Clark

Mr. Fingerson reported Terry Clark is compliant. No action on the case.

Mary Marcia Fuller

Mr. Fingerson reported Mary Marcia Fuller is compliant. No action on the case.

Amy Golden

Mr. Fingerson reported Amy Golden is compliant. No action on the case.

April Dawn Hall

Mr. Fingerson reported April Dawn Hall is compliant. No action on the case.

Holly Hall

Mr. Fingerson reported Holly Hall is compliant. No action on the case.

Shannon Keys

Mr. Fingerson reported Shannon Keys is compliant. No action on the case.

Aaron Peter

Mr. Fingerson reported Aaron Peter is compliant. No action on the case.

Lisa Smith

Mr. Fingerson reported Lisa Smith is compliant. No action on the case.

Jill Stacy

Mr. Fingerson reported Jill Stacy is compliant. No action on the case.

Paul Derrick Sublett

Mr. Fingerson reported Paul Sublett is compliant. No action on the case.

Laura Thomas

Mr. Fingerson reported Laura Thomas is compliant. No action on the case.

KYPRN Cases – Review or Actions Needed

April Hall

FYI. A letter was sent to April Hall requiring her to complete an extra drug screen (13 per year) for each year remaining on her Agreed Order with a reminder that she cannot self medicate without prior KYPRN approval.

Mary Marcia Fuller

FYI. A letter was sent to Ms. Fuller urging her to stay compliant with KYPRN; she will be scheduled for a random test.

Jill Stacy

Dr. Powell made a motion to deny Ms. Stacy's request to abbreviate her probation; seconded by Ms. McDaniel. Motion carried unanimously.

Rodney Reynolds

Dr. Powell made a motion for staff to contact Rodney Reynolds and indicate the matter will be scheduled for a hearing if the case is not informally resolved through an Agreed Order; seconded by Ms. McDaniel. Motion carried unanimously.

FYI: Agreed Orders Signed – No Actions Needed

FYI on Sara Sparks; Shannon Keys; Amy Golden and Erin Morris.

Complaint Cases with Agreed Orders & KYPRN – Updates or Action Needed

A. Daniel Sexton

Dr. Powell made a motion to ratify the 2015 renewal without restrictions. The motion was seconded by Tami McDaniel and carried unanimously.

B. Theresa Hargette-Flor, CRT, Requesting KY Mandatory Licensure Certificate

Dr. Powell moved to have legal counsel draft the Notice of Complaint and Hearing for Theresa Hargette-Flor and bring back to the next meeting; seconded by Ms McDaniel. Motion carried unanimously.

C. Brenda Hayes

Ms. McDaniel and Mr. Smithern recused so Dr. Powell made a motion to table the complaint due to lack of a quorum; seconded by Tami McDaniel. Motion carried unanimously.

D. Nancy LaPointe

Dr. Powell made a motion to assign an investigator; seconded by Tami McDaniel. Motion carried unanimously.

E. Lincare

Dr. Powell made a motion for legal counsel to draft a letter to Ms. Necamp asking for additional information; seconded by Tami McDaniel. Motion carried unanimously.

F. Jerome Scott

Dr. Powell made a motion to ratify the 2015 renewal for Jerome Scott and for legal counsel to draft an Agreed Order including three (3) years probation, KYPRN, a check-off list, and random drug screens per year; seconded by Ms McDaniel. Motion carried unanimously.

G. Dennis W. Pope, Jr.

Dr. Powell moved to grant Dennis W. Pope, Jr., reinstatement of his KY mandatory certificate without restrictions; seconded by Tami McDaniel. Motion carried unanimously.

2015 KBRC Meeting Dates

Ms. Moore stated the remaining 2015 meeting dates need to be confirmed. Dr. Powell made a motion to approve meeting dates for Thursday, June 18, August 20, October 15, and December

10, 2015 at 5:45 p.m., EST, with the December 10, 2015 meeting scheduled at a location TBA. The motion was seconded by Ms. McDaniel and carried unanimously.

FYI. Cheryl Anne Pasquariello

FYI. Cheryl Anne Pasquariello worked one (1) day on Inactive status; and paid \$50 fine by Agreed Order.

FYI. Jeffrey Henry

FYI. Jeffrey Henry worked eleven (11) days on an expired licensure; and paid \$550 fine by Agreed Order.

FYI. Supreme Court Ruling Re: North Carolina State Board of Dental Examiners

Ms. Moore circulated Supreme Court Ruling re: North Carolina State Board of Dental Examiners as an FYI.

Application Review

A motion was made by Jeff Smithern to accept all 88 applications since the last meeting; seconded by Jerrell Cloud. Motion carried unanimously.

The following **Student applications (14)** were approved:

Kelsey Alcorn, Stephen Ashley, Hannah Bailey, Andrew Borgenschutz, Cheryl Brown, Jessie Fair, Meredith Frazier, Kristin Helmer, Rheann Lumbang, Lauren Patterson, Jamie Paulley, Karen Reynolds, Barbara Shepherd and Kimberlie Thompson.

The following **Temporary applications (2)** were approved:

Tammy Bailey and Jennifer Cameron.

The following **NBRC applications (49)** were approved:

Daniel Adams, Stephanie Allen, Laura Barker, Tracy Bollheimer, Latosha Burk, Jessica Cabiness, Emily Crewz, Amanda Derrington, Catherine Donahue, Amanda Downs, Corey Dunn, Christopher Eggers, Jordan Emerson, Kaleigh England, Jennifer Falvery, Robin Feese, James Gambrel, Paul Grigsby, Kaitlynn Helterbrand, April Hobgood, Amber Holbrook, Elizabeth Howard, Amanda Hughes, Tracie Irvin, Kalen Jones, Ronnie Jones, Rheann Lumbang, Leah Lowe, Sonya Lopez, Thomas McGovern, Emily McIntire, Casey McKee, Mary Ann Mitchell, Jennifer Monroe, Heather Murray, Jessica Pence, Joseph Perseghin, Breann Prechtel, Mia Ray, Courtney Sawyers, Christa Shoemaker, Alexis Simpkins, Jacey Spencer, Halie St. Clair, Ethan Stephens, Holly Suddeth-Moh, Barbara Sykes, Donna Williams and Lee Wisdom..

The following **Reciprocity applications (23)** were approved:

Ashley Bennett, Jeanette Catron, James Cline, Larissa Crumbo, Angela Duncan, Mesmer Gebreberhane, Cory Getz, Janet Carlisle-Hager, Jill Jones, Melodie Liddle, Kimberlyn McCollom, Philippa McMillion, Joy Mack, Katie Manning, Elaina Martin, Zachary Pierre, Amanda Rice, Katie Shepherd, Duwana Smith, Christopher Stewart, Cathy Stinefield, Fredrick Wetzel.

Approval of Per-diem, Compensation, Travel and Honoraria

A motion was made by, Ms. McDaniel and seconded by Ms. Schell, to approve the payment of per diem, compensation and travel for Board members. Motion carried unanimously.

Ms. Daniel made a motion to adjourn the meeting at 9:00 p.m.; seconded by Ms. Schell. Motion carried unanimously.

Jeff Smithern, RRT, Chair
KY Board of Respiratory Care